



NIP-279-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Y. TAKAHASHI et al.
Serial No.: 10/824,469
Filed: April 15, 2004
For: TURBINE ROTOR
Group: 3745
Examiner: R. Edgar

TERMINAL DISCLAIMER

Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

Hitachi, Ltd., a corporation under the laws of Japan, located at 12th Floor, Marunouchi Center Bldg., 6-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo, Japan, (hereinafter "Assignee(s)") represents owner(s) of the entire interest of the application identified above (hereinafter, "present application"), by virtue of an Assignment recorded in the U.S. Patent and Trademark Office on July 28, 2003, under Reel 014342, Frame 0894, in connection with prior (ancestor) application Serial No. 10/352,898, filed January 29, 2003 (hereinafter, "other application(s)"), now U.S. Patent No. 6,746,204 issued on June 8, 2004 (hereinafter, "other patent(s)").

Assignee(s), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 USC §154 to §156 and §173, as presently shortened by any terminal disclaimer filed prior to the grant of the other patent(s),

and hereby agrees that any patent so granted on the present application shall be enforceable only for and during such time that the legal title to said patent shall be the same as the legal title to the other patent(s); this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successors and assigns.

In making the above disclaimer, Assignee(s) does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 USC §154 to §156 and §173, as presently shortened by any terminal disclaimer, of the other patent(s) in the event that the other patent(s) later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, as presently shortened by any terminal disclaimer.


The undersigned, Gene W. Stockman, an attorney of record, is empowered to act on behalf of Assignee(s) for execution and submission of this Terminal Disclaimer.

The undersigned submits, pursuant to 37 CFR §3.73(b), that the evidentiary documents pertaining to establishing ownership of the above-identified U.S. application have been reviewed and that the undersigned certifies that, to the best of assignee's knowledge and belief, title is in the name of the Assignee(s).

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge any shortage in the fees due in connection with the filing of this paper, to Deposit Account No. 50-1417 (referencing case No. NIP-279-03) and please charge/credit any other/excess fees to such deposit account.

Date: August 19, 2005


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